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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

- - -

HONORABLE MANUEL L. REAL, CHIEF JUDGE PRESIDING

- - -

VICKI J. AZNARAN, ET AL)
)
 Plaintiffs,)
)
 vs.)
)
 CHURCH OF SCIENTOLOGY)
 INTERNATIONAL, ET AL)
)
 Defendants. -)
)

No. CV89-6319-R

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Los Angeles, California

March 5, 1990

RON WORTH, CSR
Official Court Reporter
406 United States Courthouse
312 North Spring Street
Los Angeles, California 90012
(213) 680-4047

RON WORTH, CSR

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APPEARANCES

In behalf of the Plaintiffs:

TOBY L. PLEVIN
Attorney at Law
6380 Wilshire Boulevard
Suite 1600
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(213) 655-3183

In behalf of the Defendants:

BOWLES & MOXON
BY: KENDRICK L. MOXON
LAURIE J. BARTILSON
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Suite 2000
Hollywood, California, 90028
(213) 661-4030

1 COURT CLERK: Item 5, Civil 89-6319-R, Vicki
2 Aznaran, et al, versus Church of Scientology
3 International, et al.

4 Counsel, appearances, please.

5 MR. MOXON: Kendrick Moxon, Your Honor, on
6 behalf of the Defendants.

7 MS. BARTILSON: Good morning, Your Honor.
8 Laurie Bartilson on behalf of Defendant Church of
9 Scientology International.

10 MR. PLEVIN: I'm Toby Plevin appearing for the
11 Aznarans.

12 THE COURT: All right, counsel. Anything to
13 add to the documents which have been filed?

14 MR. MOXON: No, Your Honor.

15 MR. PLEVIN: Only, Your Honor, that the filing
16 by Defendants of a reply contending that they did not
17 receive the opposition requests filings timely
18 demonstrates the accuracy of the Aznarans' statement in
19 their opposition that indeed they did timely serve the
20 Notice of Voluntary Dismissal, and that its refusal by
21 Defendants, their refusal to accept certified mail is what
22 has caused their inconvenience, if any. And a law office
23 which operates on the premise that it can refuse mail I
24 think should not complain nor should its clients complain
25 if it does not receive timely notices.

RON WORTH, CSR

1 Other than that, of course, I think it is
2 obvious that the motion would require this Court to
3 evaluate, in fact, injudicate the merits of the complaint
4 and the factual issues alleged therein in order to come up
5 with a ruling that would demonstrate improper conduct, and
6 that is, of course, beyond the scope here.

7 THE COURT: Anything further?

8 MR. MOXON: This is the first time I've heard,
9 Your Honor, that there was any opposition filed. We've
10 not received any opposition.

11 I would note, Your Honor, that apparently they
12 claim they sent this by certified mail. They claim they
13 sent it by certified mail on February 15th, and that it
14 was -- if it was not received, I have no idea, Your Honor,
15 any --

16 THE COURT: It was not received or was it
17 refused?

18 MR. MOXON: I have no idea, Your Honor. We did
19 not receive anything. We did not refuse any certified
20 mail. We have no knowledge of that. We have no record
21 of --

22 THE COURT: In any event, Ms. Bartilson, you
23 have not given me any time records. I want your time
24 records.

25 MS. BARTILSON: Yes, Your Honor.

RON WORTH, CSR

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THE COURT: Those are to be filed tomorrow, and we'll have further hearing on this matter at 1:30 on March 16th, 1990.

MR. MOXON: Thank you, Your Honor.

MR. PLEVIN: Thank you, Your Honor.

THE COURT: Check whether or not they were refused, counsel.

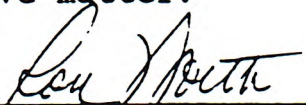
MR. PLEVIN: Attached to the opposition, Your Honor, there was the envelope.

THE COURT: I understand that. I'm asking counsel for the Defendant to do that.

MR. MOXON: Very good. We will, Your Honor. Thank you.

CERTIFICATE

I hereby certify that the foregoing is a true and correct transcript of the stenographically recorded proceedings in the above matter.



Ron Worth, CSR
Official Reporter

4-3-90
Date